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Letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq, which confirms the desire of Iraq — on the basis of its conviction of the humanitarian nature of the cause of missing persons, whether of Iraqi, Kuwaiti, Saudi Arabian or other nationalities — to cooperate with the International Committee of the Red Cross, as an impartial international body, and with the States which hold files of missing persons, in order to give effect to the obligations specified in the Geneva Conventions of 1949.

Iraq wishes you to intervene with the United States of America and the United Kingdom to prevail on them to give up their unjustified insistence on participating in the work of the Tripartite Commission; should the United States and the United Kingdom insist on participating in the meetings of the Commission on the grounds that they are permanent members of the Security Council or on any other pretext, Iraq requests the participation in the work of the Tripartite Commission of three States of major international standing and with a point of view independent of the two parties to the problem, namely the Russian Federation, China and India.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Since 1991, Iraq has been anxious, on the basis of its belief in the humanitarian nature of the cause of the missing persons of Iraqi, Kuwaiti, Saudi Arabian or other nationality, to cooperate with the International Committee of the Red Cross as an impartial international body and with the States that have files of missing persons, in order to give effect to the obligations specified in the Geneva Conventions of 1949. Iraq has, moreover, responded positively to the good offices offered by States and organizations in the region, including the League of Arab States, with a view to resolving this humanitarian issue and ascertaining the fate of all missing persons with the oversight of the International Committee of the Red Cross. To that end, Iraq has participated in the meetings convened by the Tripartite Commission, despite the participation in its work of the United States of America, the United Kingdom and France, which do not have files of missing persons. Iraq has striven to ensure progress in the work of the Commission in order to reach a conclusion on all the files submitted to the Commission without any discrimination between the holders of the files. Experience has shown that the United States and the United Kingdom have offered no positive assistance to the work of the Commission but have constantly endeavoured to impede its work and to politicize the issue of missing persons. After the United States and the United Kingdom committed their large-scale aggression against Iraq on 16 December 1998, Iraq requested that those States should not take part in the work of the Commission and that participation should be restricted solely to the States that had files of missing persons, on the grounds that oversight of the meeting by the International Committee of the Red Cross, which is the impartial body charged with that humanitarian role under the Geneva Conventions of 1949, was adequate. However, the United States and the United Kingdom insisted on continuing to participate in the work of the Tripartite Commission, bringing to a halt the work of the parties engaged in following up the files of missing persons of Iraqi, Kuwaiti, Saudi Arabian and other nationalities.

Iraq has made sustained efforts through the letters it has sent to you, and through its ongoing contacts with the International Red Cross, and with all the other impartial international bodies involved in the matter, with a view to bringing about a resumption of the meetings of the Tripartite Commission under the oversight of the International Committee of the Red Cross and with the presence of the States which hold files of missing persons that are being investigated; the Iraqi missing persons number 1,142, which is about twice the number of missing persons of the other nationalities. However, the efforts of Iraq have so far not met with the desired response since the United States and the United Kingdom are still insisting on participating in the meetings of the Tripartite Commission in spite of the fact that those two States have no files of missing persons being investigated by the Commission. Moreover, it has become clear to all that the purpose of participation by those States in all the commissions and other bodies dealing with the relations between Iraq and the United Nations is purely subversive. It was they that insisted on the maintenance of the comprehensive sanctions against Iraq which have resulted so far in the deaths of more than 1.5 million Iraqis, the majority of them children and women, and it was they that impeded the proper implementation of the oil-for-food programme and tried to deflect it from its humanitarian functions and use it as

a means of bringing political pressure to bear on Iraq by their illegal interference and by putting thousands of contracts for the import of humanitarian supplies on hold. It was they that took advantage of the Special Commission of the Security Council on disarmament (UNSCOM) to spy on Iraq, fabricate crises and issue mendacious reports which were used as a pretext for continuing the sanctions and hostilities against Iraq. Their role in the Compensation Commission and their attempts to squander Iraq's funds in a manner contrary to the provisions of international law are also well known. It is they who resort on a daily basis to the unilateral use of force against Iraq without the slightest authorization by any international resolution in the illegal so-called no-flight zones, bombing public installations and the homes and property of citizens, and killing and endangering the lives of millions of Iraqis. It was, moreover, those two States that brazenly announced that they were taking action to change the political regime in Iraq, financing and nurturing gangs of mercenaries and training their members to commit acts of terrorism and subversion against Iraq, a sovereign State and a founder Member of the United Nations. It is therefore delusory to anticipate anything positive from the participation of the United States and the United Kingdom in the meetings of the Tripartite Commission, the guiding principle of which is supposed to be to endeavour to offer humanitarian services to the families of the missing persons of the parties.

Accordingly, Iraq wishes you to intervene with the United States and the United Kingdom to prevail on them to give up their unjustified insistence on participating in the work of the Tripartite Commission, thus opening the way to the resumption of meetings of the Commission with the participation of the States that have files of missing persons that have been submitted to the Commission and under the oversight of the International Committee of the Red Cross.

Should the United States and United Kingdom insist on participating in the meetings of the Tripartite Commission on the pretext that they are permanent members of the Security Council or on any other pretext, we request that three States of major international standing and with a point of view independent of the two parties to the problem, namely the Russian Federation, China and India, should participate in the work of the Tripartite Commission.

I wish to inform you that Iraq will continue its efforts in an inter-Arab framework to achieve the same objective which is to resolve this humanitarian problem.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs